

When telephoning, please ask for: Martin Elliott
Direct dial 0115 914 8511
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Our reference:
Your reference:
Date: Wednesday, 8 August 2018



To all Members of the Planning Committee

Dear Councillor

A Meeting of the Planning Committee will be held on Thursday, 16 August 2018 at 6.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julian Crowle'.

Julian Crowle
Monitoring Officer

AGENDA

1. Apologies for Absence and Substitute Members
2. Declarations of Interest
 - a) Under the Code of Conduct
 - b) Under the Planning Code
3. Minutes of the Meeting held on 12 July 2018 (Pages 1 - 6)
4. Planning Applications (Pages 7 - 58)
The report of the Executive Manager - Communities.
5. Planning Appeals (Pages 59 - 60)
The report of the Executive Manager – Communities.

**Rushcliffe Community
Contact Centre**
Rectory Road
West Bridgford
Nottingham
NG2 6BU

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First Saturday of
each month
9am - 1pm

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Membership

Chairman: Councillor R Butler

Vice-Chairman: Councillor J Stockwood

Councillors: B Buschman, N Clarke, M Edwards, J Greenwood, R Jones,
Mrs M Males, S Mallender, Mrs J Smith and J Thurman

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Fire Alarm Evacuation: in the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

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MINUTES OF THE MEETING OF THE PLANNING COMMITTEE THURSDAY, 12 JULY 2018

Held at 6.30 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West
Bridgford

PRESENT:

Councillors R Butler (Chairman), J Stockwood (Vice-Chairman), B Buschman, N Clarke, J Greenwood, S Hull (substitute for S Mallender), R Jones, Mrs M Males, L Plant (substitute for M Edwards) and J Thurman

ALSO IN ATTENDANCE:

15 members of the public

OFFICERS IN ATTENDANCE:

J Bate	Conservation Officer
M Elliott	Constitutional Services Team Leader
I Norman	Legal Services Manager
A Pegram	Service Manager - Communities

APOLOGIES:

Councillors M Edwards and Mrs J Smith

5 Declarations of Interest

There were no declarations of interest.

6 Minutes of the Meeting held on 14 June 2018

The Minutes of the meeting held on 14 June 2018 were approved as a correct record and signed by the Chairman.

7 Planning Applications

The Committee considered the written report of the Executive Manager - Communities relating to the following applications, which had been circulated previously.

18/00750/FUL - Demolition of existing house and buildings, and erection of two new dwellings with existing access (revised scheme) - Midway House, Main Road, Upper Broughton, Nottinghamshire LE14 3BG

Updates

There were no updates reported.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Steve Lewis-Roberts of Pegasus Group, (agent for the

applicant) and Mrs Rosemary Russell, (objector) addressed the meeting.

Comments

Members of the committee expressed concern that insufficient evidence had been provided by the applicant to justify the demolition of a non-designated heritage asset. Members of the committee were also of the opinion that the proposed design of the new dwellings was visually discordant with the surrounding area.

DECISION

REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS

1. The proposal would result in the demolition of the former school and school masters house; these are considered to be non-designated heritage assets. The application has not made a convincing case that these buildings are beyond economic re-use and as such insufficient justification has been provided to support the loss of these buildings. The proposal is therefore contrary to Policy 11 of the Rushcliffe Local Plan Part 1: Core Strategy, the NPPF and Policy HOU6 c) of the Rushcliffe Borough Non-Statutory Replacement Local Plan which seek to conserve heritage assets.
2. The proposal would result in the replacement of one dwelling and the erection of an additional dwelling. The replacement dwelling would be significantly larger than the dwelling to be replaced and the second dwelling would represent an additional unit on the site. The proposal would therefore be contrary to Policies EN20, HOU4 and HOU6 e) of the Rushcliffe Borough Non-Statutory Replacement Local Plan and the NPPF which seek to restrict new dwellings in the countryside and that where replacement dwellings are sought there would be no increase in the number of units or in the size or impact of the original dwelling.
3. The proposed dwellings, by reason of size, siting, design, massing and materials, would be visually discordant in this rural location, failing to enhance local characteristics and distinctiveness, and would have a detrimental impact on the visual amenity of the site and surroundings. The proposal is therefore contrary to Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy and the NPPF and policies GP2 d), HOU6 d) and g) and EN20 of the Rushcliffe Borough Non-Statutory Replacement Local Plan which seek to ensure high quality design is achieved, that replacement dwellings and development in the countryside is not visually harmful or represent disproportionate increases in the size or impact of the original dwelling.

Note to Applicant

Negotiations have not taken place during the consideration of the application but pre-application discussions were undertaken and have resulted in the submission of the revised application which is now deemed to be acceptable and could be recommended for approval. However, having considered carefully the proposals, giving due regard to the material planning

considerations, and applying the planning balance, members of the Planning Committee resolved that the loss of the non-designated heritage asset and proposed replacement dwellings were unacceptable and refused permission.

18/00947/FUL - New dwelling in the grounds of The Old Hall following removal of swimming pool - The Old Hall, 10 Kneeton Road, East Bridgford, Nottinghamshire, NG13 8PG

Updates

There were no updates reported.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 201A, 202 and 203A.

[For the avoidance of doubt and to comply with GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

3. The development hereby permitted shall not proceed beyond damp proof course level until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with policies GP2 (Design and Amenity Criteria), EN2 (Conservation Areas) and EN4 (Listed Buildings) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. No operations shall commence on site until the existing trees and/or hedges which are to be retained have been protected in accordance with details as detailed on plan "Arbtech TPP 01A". No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the tree protection, nor is any excavation work to be undertaken within the confines of the protection fence without the written approval of the Borough Council. No changes of ground level shall be made within the protected area without the written approval of the Borough Council.

[To ensure existing trees are adequately protected during the development and to comply with policy EN13 (Landscaping Schemes) of

the Rushcliffe Borough Non Statutory Replacement Local Plan. This condition needs to be discharged prior to work commencing on site to ensure that the means of protection is provided before work commences to avoid any damage to the trees and/or hedges to be retained]

5. The access to the dwelling shall be via the access driveway constructed in the position and utilising the method shown on plan ARBTECH TPP01, once constructed the access driveway shall be retained in the form shown thereafter.

[To prevent harm to trees along the southern site boundary which form a key feature within the setting of a listed building and are to be retained, and to comply with Policy GP2 of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

6. Demolition rubble from the existing swimming pool, and material excavated as part of the construction of the new dwelling is to be utilised within the construction of the new dwelling or disposed of off-site at an appropriate and licenced waste disposal facility, material is not to be used to alter landscaping within the grounds of The Old Hall.

[To avoid alterations to the formal grounds of The Old Hall through the deposition of spoil which may be harmful to the setting of The Old Hall as a listed building]

7. Notwithstanding the provisions of Schedule 2, Part 1 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no sheds, buildings or structures shall be erected on the site without the prior written approval of the Borough Council.

[The development is of a nature whereby future development of this type should be closely controlled and to comply with policies GP2 (Design & Amenity Criteria), EN4 (Listed Buildings) and EN2 (Conservation Area) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

8. Notwithstanding the provisions of Schedule 2, Part 1 Classes A - D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no enlargement or alteration of the proposed dwelling(s), and no alteration to or insertion of windows or rooflights other than those shown on the approved plans without the prior written approval of the Borough Council.

[The development is of a nature whereby future development of this type should be closely controlled and to comply with policies GP2 (Design & Amenity Criteria), EN4 (Listed Buildings) and EN2 (Conservation Area) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

Notes to Applicant

Nesting birds and bats, their roosts and their access to these roosts are protected under the Wildlife and Countryside Act 1981. Should birds be nesting in the trees concerned it is recommended that felling/surgery should be carried out between September and January for further advice contact Nottinghamshire Wildlife Trust on 0115 958 8242 or by email at info@nottswt.co.uk. If bats are present you should contact Natural England on 0300 060 3900 or by email at enquiries@naturalengland.org.uk.

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins.

18/00854/FUL - Two storey and single storey rear extension - 70 Studland Way, West Bridgford, Nottinghamshire, NG2 7TS

UPDATES

There were no updates reported.

In accordance with the Council's Public Speaking Protocol for Planning Committee Mr Gavin Ashton, (the applicant), Mr Colin Nicholson (objector to the application) and Councillor Gordon Wheeler (Ward Councillor), addressed the meeting.

DECISION

GRANT PLANNING PERMISSION FOR THE REASONS SET OUT IN THE REPORT SUBJECT TO THE FOLLOWING CONDITIONS.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan & Block Plan, and Existing & Proposed Plans, received on 11 April 2018.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

3. The extensions hereby permitted shall be constructed in suitable facing and roofing materials to match the elevations of the existing property.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe

8 **East Leake No.1 Tree Preservation Order 2018**

The Executive Manager – Communities submitted a report advising of objections that had been received to the East Leake No.1 Tree Preservation Order 2018. Members of the committee considered the objections and **RESOLVED** that that the order be confirmed without modification.

The meeting closed at 8.35 pm.

CHAIRMAN



Planning Committee

16 August 2018

Planning Applications

Report of the Executive Manager - Communities

PLEASE NOTE:

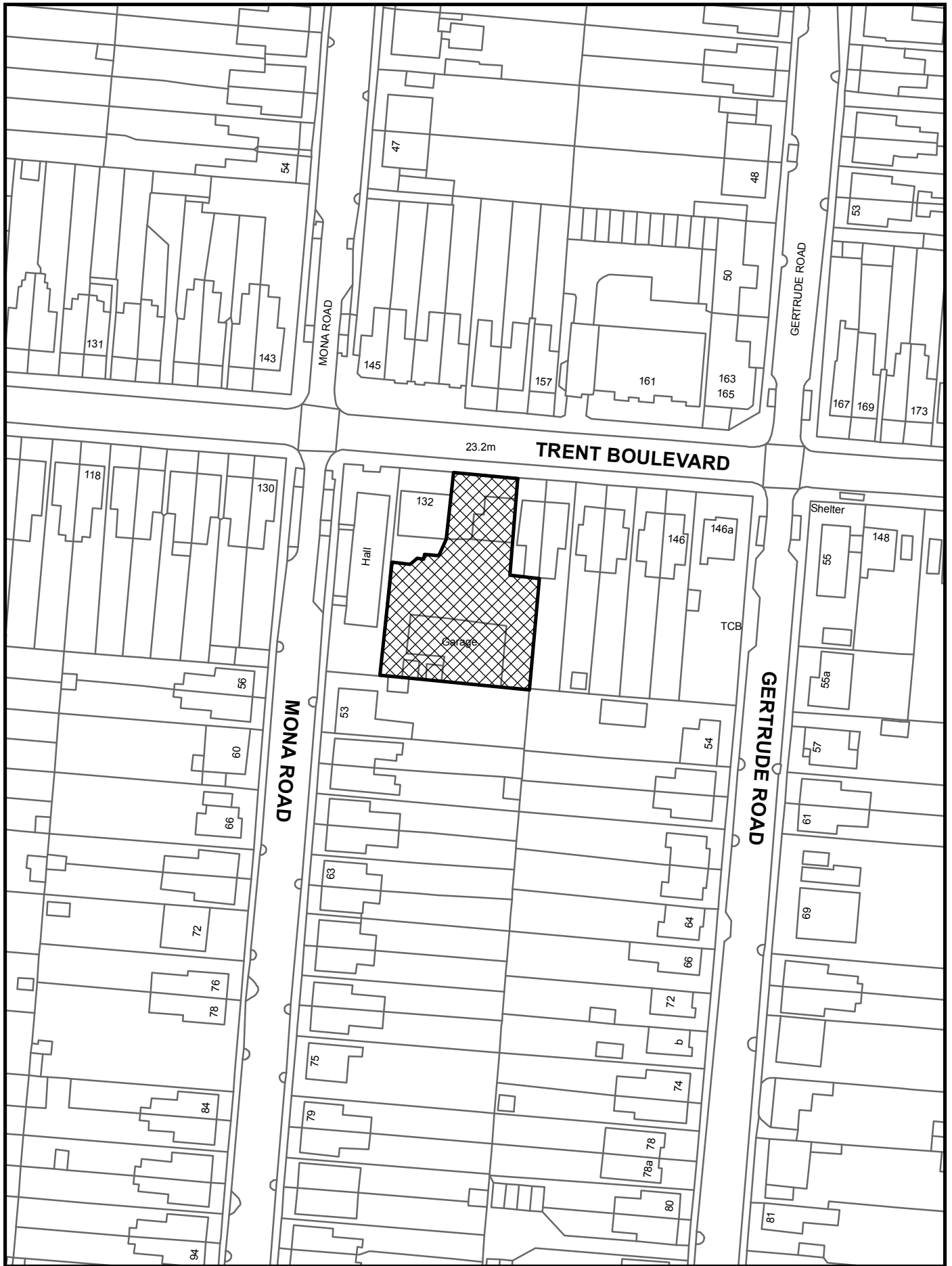
1. Slides relating to the application will be shown where appropriate.
2. Plans illustrating the report are for identification only.
3. Background Papers - the application file for each application is available for public inspection at the Rushcliffe Customer Contact Centre in accordance with the Local Government Act 1972 and relevant planning legislation/Regulations. Copies of the submitted application details are available on the website <http://planningon-line.rushcliffe.gov.uk/online-applications/>. This report is available as part of the Planning Committee Agenda which can be viewed five working days before the meeting at <https://democracy.rushcliffe.gov.uk/ieListMeetings.aspx?Committeeld=140> Once a decision has been taken on a planning application the decision notice is also displayed on the website.
4. Reports to the Planning Committee take into account diversity and Crime and Disorder issues. Where such implications are material they are referred to in the reports, where they are balanced with other material planning considerations.
5. With regard to S17 of the Crime and Disorder Act 1998 the Police have advised they wish to be consulted on the following types of applications: major developments; those attracting significant numbers of the public e.g. public houses, takeaways etc.; ATM machines, new neighbourhood facilities including churches; major alterations to public buildings; significant areas of open space/landscaping or linear paths; form diversification to industrial uses in isolated locations.
6. Where the Planning Committee have power to determine an application but the decision proposed would be contrary to the recommendation of the Executive Manager - Communities, the application may be referred to the Council for decision.
7. The following notes appear on decision notices for full planning permissions:
“When carrying out building works you are advised to use door types and locks conforming to British Standards, together with windows that are performance tested (i.e. to BS 7950 for ground floor and easily accessible windows in homes). You are also advised to consider installing a burglar alarm, as this is the most effective way of protecting against burglary.

If you have not already made a Building Regulations application we would recommend that you check to see if one is required as soon as possible. Help and guidance can be obtained by ringing 0115 914 8459, or by looking at our web site at <http://www.rushcliffe.gov.uk/planningandbuilding/buildingcontrol>

Application	Address	Page
<u>18/00856/FUL</u>	134A Trent Boulevard, West Bridgford, Nottinghamshire, NG2 5BW	11 - 20
	Demolish existing house and ancillary buildings, erect 2x apartment blocks comprising 9x2 bed apartments, 1x1 bed apartment, plus 9allocated parking spaces.	
Ward	Lady Bay	
Recommendation	Planning permission be granted subject to conditions	
<u>18/01010/FUL</u>	Stanton On The Wolds Golf Club, Golf Course Road, Stanton On The Wolds, Nottinghamshire	21 - 31
	Construction of two single storey dwellings and demolition of two storey cottages post occupation (resubmission)	
Ward	Keyworth and Wolds	
Recommendation	Planning permission be refused	
<u>18/00163/FUL</u>	Land North West of Lammas Farm, Kneeton Road, East Bridgford, Nottinghamshire	33 - 42
	Erection of a temporary rural workers dwelling and agricultural building.	
Ward	East Bridgford	
Recommendation	Planning permission be granted subject to conditions	

Application	Address	Page
<u>18/01327/FUL</u>	The Dovecote, Main Street, Hickling, Nottinghamshire, LE14 3AJ	43 - 50
	Single storey rear extension including demolition of existing sun lounge, single storey front extension to garage, replace flat roof dormer with pitched roof bridging gap between dormer and garage, render to front elevation, and Juliet balcony to rear (revised scheme)	
Ward	Nevile and Langar	
Recommendation	Planning permission be granted subject to conditions	
<hr/>		
<u>18/01011/RELDEM</u>	Southview, Bottom Green, Upper Broughton, Nottinghamshire, LE14 3BA	51 - 57
	Demolition of existing gateway and section of boundary wall.	
Ward	Nevile and Langar	
Recommendation	Planning permission be granted subject to conditions for relevant demolition of an unlisted building in a Conservation Area be granted subject to conditions.	

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Application Number: 18/00856/FUL
134 Trent Boulevard, West Bridgford

scale 1:1000

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18/00856/FUL

Applicant Stagfield Group (Mr Kevin Hard)

Location 134A Trent Boulevard West Bridgford Nottinghamshire NG2 5BW

Proposal Demolish existing house and ancillary buildings, erect 2x apartment blocks comprising 9x2 bed apartments, 1x1 bed apartment, plus 9 allocated parking spaces.

Ward Lady Bay

THE SITE AND SURROUNDINGS

1. The site, which lies to the south of Trent Boulevard, extends to approximately 890 square metres and comprises the existing dwelling, 134 Trent Boulevard, and a commercial garage with its associated yard area.
2. The site is bounded on its south and east sides by residential properties and on its western side by the recently constructed scout headquarters building.
3. The site lies within flood zone 3, as shown on the Environment Agency flood risk maps, and is shown on the Strategic Flood Risk Assessment, which takes into account the defences, to be in an area equivalent to flood zone 1.
4. The application is supported by a Design and Access Statement, Flood Risk Assessment and Preliminary Ecological Appraisal.

DETAILS OF THE PROPOSAL

5. The proposal involves the demolition of the existing dwelling and the commercial garage buildings and the development of a three storey building on the frontage comprising 5 flats and a part two/part single storey building at the rear comprising 5 flats. The plans also make provision for an access road and 9 car parking spaces, cycle store and bin store.
6. The frontage building would have a height of 9.1 metres, except for a small section over the stairwell which would be 9.4 metres, whilst the rear building would have a maximum height of 6.3 metres with the single storey section 3.4 metres high.

SITE HISTORY

7. In June, 2017, planning permission was granted for the demolition of the existing house and development of 9 flats plus gym facilities and parking (ref: 17/00582/FUL). This permission remains extant.

REPRESENTATIONS

Ward Councillor(s)

8. One Ward Councillor (Cllr S Mallender) objects to the application on the grounds that the design of the development would be out of keeping with the area, it would represent over development of the site and result in loss of light to, and have an overbearing impact on neighbours. Also, there would be increased traffic on Trent Boulevard due to inadequate on-site parking provision.

Statutory and Other Consultees

9. The Nottinghamshire County Council as Highway Authority has raised no objection on highway grounds but recommended that one of the originally proposed parking spaces on the frontage be omitted to improve accessibility..
10. The Environment Agency does not object subject to the mitigation measures contained in the Flood Risk Assessment being implemented, including appropriate floor levels and the preparation of flood warning and evacuation plans.
11. The Borough Council's Environmental Health Officer has drawn attention to the proximity of the scout hall and the potential for noise nuisance, including from external plant and equipment. He has recommended that a contaminated land report be submitted, a method statement for control of dust, noise and vibration prior to commencement of development, external lighting be controlled and consideration given to electric vehicle charging points.
12. The Borough Council's Conservation and Design Officer notes that the scheme is very similar to that previously approved and has no objection.
13. The Borough Council's Environmental Sustainability Officer agrees with the findings of the ecological survey and considers there are no ecological or sustainability constraints to the proposals.
14. The Borough Council's Waste and Recycling Officer advises that 4 x 1100 ltr bulk containers would be required.
15. The Nottinghamshire County Council as Lead Local Flood Authority has no comments in relation to flood risk but makes a number of recommendations including that the development should not increase flood risk, disposal of surface water should be by infiltration and SUDS and maintenance thereof should be considered.

Local Residents and the General

16. 9 written representations (from 8 addresses) objecting to the proposal have been received from local residents. The grounds of objection relate to the following:
 - a. Lack of car parking leading to on-street parking.

- b. Design out of keeping with and detrimental to the character of the surrounding area.
- c. Loss of light and adverse impact on neighbours, therefore contrary to policy GP2 of the RBNSRLP.
- d. Demolition of existing house unjustified.
- e. Over intensive development of the site.

PLANNING POLICY

- 17. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996) and the Rushcliffe Local Plan Part 1: Core Strategy.
- 18. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006).
- 19. Any decision should therefore be taken in accordance with the Rushcliffe Core Strategy, the NPPF and NPPG and policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Core Strategy and Framework, together with other material planning considerations.

Relevant National Planning Policies and Guidance

- 20. The National Planning Policy Framework carries a presumption in favour of sustainable development and states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework.
- 21. Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 of the NPPF goes on to state that there are three overarching objectives which are interdependent, comprising economic, social and environmental objectives.
- 22. Paragraph 127 states that planning decisions should ensure that developments: will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate landscaping, are sympathetic to local character and history whilst not preventing or discouraging appropriate innovation and change, establish or maintain a strong sense of place to create welcoming and distinctive places, optimise the potential of the site to accommodate an appropriate mix of development including green and other public space, create places that are safe, inclusive and accessible.

Relevant Local Planning Policies and Guidance

- 23. Policy 1 of the Rushcliffe Local Plan Part 1 - Core Strategy states that the Borough Council will take a positive and proactive approach to planning

decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

24. Policy 10 (Design and Enhancing Local Identity) of the Rushcliffe Local Plan Part 1: Core Strategy requires that development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. Development should be assessed in terms of the criteria listed under section 2 of Policy 10, and of particular relevance to this application are 2(b) whereby development should be assessed in terms of its impacts on neighbouring amenity; 2(f) in terms of its massing, scale and proportion; and 2(g) in terms of assessing the proposed materials, architectural style and detailing.
25. In the context of the Rushcliffe Borough Non Statutory Replacement Local Plan, the relevant policies are GP2 (Amenity and Design), HOU2 (Development on Unallocated Sites) and WET 2 (Flooding).
26. Policy GP2 requires that any developments are sympathetic to the character and appearance of neighbouring buildings and the surrounding area in terms of scale, design, materials, etc., do not have a detrimental impact on the amenity of neighbours by reason of overlooking, loss of light, overbearing impact or the type of activity proposed and a suitable means of access and parking facilities can be provided.
27. Policy HOU2 states that planning permission will be granted for development on unallocated sites so long as a number of criteria can be satisfied, including that the development would not extend the built-up area of the settlement and would not result in the loss of a site which makes a significant contribution to the amenity of the area by virtue of its character or open nature, etc.
28. Policy WET 2 (Flooding) states that development will not be permitted in areas of flood risk unless it is in a developed area, can be adequately protected against potential flood risk and would have no adverse effects on the management of flood risk.

APPRAISAL

29. The site is conveniently located for services and facilities, including bus services, and comprises a sustainable location, as required by the NPPF. Furthermore, as stated above, the site benefits from an extant permission so the principle of the development has been established. Apart from the replacement of the proposed gym with a flat, the main changes now proposed include the provision of a parking space on the site frontage and the re-arrangement of fenestration on the rear building.
30. In terms of impact on neighbours, the layout and arrangement of the single storey and two storey rear building, which are basically the same as the approved scheme, and arrangement of fenestration pays particular attention to the relationship with the neighbouring properties at 132 and 136 Trent Boulevard and 53 Mona Road. Although these properties have habitable rooms facing the site, loss of privacy is minimised through the inclusion within the new building of high level windows in the north and south elevations, with only full height first floor windows being in the west elevation, which faces the scout centre. Also the rear section of the frontage building has been stepped

at the rear corners, the section adjacent to no.132 comprising balconies with glazed screens to prevent overlooking.

31. Whilst concern has been expressed over traffic and parking, it should be noted that the County Council has raised no objection. Furthermore, not only is the site conveniently located for local facilities and services, including public transport, but the current commercial use obviously generates a certain amount of activity, as could any future intensification of the commercial use, which may not require planning permission.
32. The site is in Flood Zone 3 on the Environment Agency's flood zone maps, which has a medium to high probability of flooding. However, the Strategic Flood Risk Assessment indicates that the site falls outside of the area outlined to be 1 in 1000 annual chance of flooding. As such the area has a low probability of river flooding equivalent to Flood Zone 1. In view of this and the guidance in the NPPG, it is concluded that the site is equally comparable to other sites identified in the Strategic Housing Land Availability Assessment in West Bridgford, and the sequential test has been passed. As the Environment Agency (EA) and the Lead Local Flood Authority do not object and the site is in a sustainable location close to local services/facilities, employment and public transport, it is considered that the Exception Test is also passed.
33. As stated above, the essence of paragraph 127 of the NPPF is that innovative design, in this case contemporary, should not be stifled so long as there is acknowledgement of local characteristics. In light of this, the design of the frontage building includes an element of verticality which reflects a feature of buildings in the surrounding area, whilst retaining the contemporary approach. Also, a subdued colour scheme is proposed. In view of this, it is considered that the design is acceptable and would add interest to the street scene.
34. Emergence surveys were carried out as part of the Protected Species Report which found no evidence of bat use of the existing buildings.
35. Whilst the Environmental Health Officer has recommended the submission of a noise assessment in relation to external noise, this was not a requirement on the extant permission and it is not considered that it would be justified now, given the relatively minor change proposed.
36. There were no pre-application negotiations and, therefore, no advice was offered prior to submission of the application. However, there were no problems during the course of processing the application and, therefore, no reason to contact the applicant. Consequently, a recommendation that planning permission be granted has been made without any delays.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].

2. The development hereby permitted shall not proceed beyond foundation level until details of the facing and roofing materials to be used on all external elevations have been submitted to and approved in writing by the Borough Council and the development shall only be undertaken in accordance with the materials so approved.

[To ensure the appearance of the development is satisfactory and to comply with policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

3. The development shall be carried out in accordance with the mitigation measures included in the Flood Risk Assessment March 2017 / 17-0036/BSP Consulting.

[To ensure protection against flooding and to comply with policy WET2 (Flooding) of the Rushcliffe Borough Non-Statutory Replacement Local Plan].

4. The development shall not be brought into use until the proposed access and parking/turning area, the bin store and bicycle storage facilities have been constructed with the access driveway fronted by a dropped kerb vehicular crossing with any redundant sections returned to footway. These facilities shall be retained for the lifetime of the development.

[To ensure adequate car parking facilities are provided in connection with the development; and to comply with policies GP2 (Design & Amenity Criteria) and MOV9 (Car Parking Standards) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

5. The development shall not be brought into use until details of means of enclosure have been submitted to and approved in writing by the Borough Council and the approved means of enclosure have been completed. Thereafter, they shall be retained for the lifetime of the development unless the Borough Council gives written consent to a variation.

[In the interest of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

6. Before development is commenced, a Contaminated Land Report shall be submitted to and approved in writing by the Borough Council. Where the Report identifies potential contamination a remediation report and validation statement confirming the agreed remediation works have been completed, will also be required.

[To ensure that the site is free from contamination and to comply with policy GP2 (Design and Amenity) of the Rushcliffe Borough Non Statutory Replacement Local Plan. A Contaminated Land Report is required prior to development commencing because it may be necessary to carry out remediation measures which could not be carried out once development has commenced.]

7. Details of any proposed external lighting shall be first approved in writing by the Borough Council and the lighting shall be installed and maintained to accord with the approved details, for the lifetime of the development.

[To protect the amenities of neighbouring residential properties and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

8. Prior to demolition of the existing buildings, a method statement detailing techniques for the control of noise, dust and vibration shall be submitted to and approved in writing by the Borough Council and the works shall be carried out in accordance with the approved details.

[To protect the amenities of neighbouring residential properties and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan. A method statement is required prior to demolition commencing to ensure that the demolition will be carried out in a safe way and without adverse effects on neighbours].

9. Prior to the development being brought into use/occupied, the open areas of the site shall be finished in hard surfacing and soft landscaping in accordance with details to be submitted to and approved by the Borough Council. The open areas of the site shall thereafter be maintained in accordance with the approved details for the lifetime of the development.

[In the interests of amenity and to comply with policy EN13 (Landscaping Schemes) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

10. The development shall be carried out in accordance with the submitted plans no. 16058-A-2001 rev P08, 16058-A-0002 rev P02, 16058-A-2002 rev P08, 16058-A-3010 rev P07, 16058-A-4001 rev P06 and 16058-A-4002 rev P05.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

11. The roof area above flats 7, 8, 9 and 10 shall not be used as a balcony, roof garden or similar amenity area.

[To protect the amenities of neighbouring residential properties and to comply with policies GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

Notes to Applicant

This grant of planning permission does not alter the private legal situation with regard to the carrying out of any works involving land which you do not own or control. You will need the consent of the owner(s) involved before any such works are started.

You are advised to ensure disturbance to neighbours is kept to a minimum during construction by restricting working hours to Monday to Friday 7.00am to 7.00pm, Saturday 8.00am to 5.00pm and by not working on Sundays or Bank Holidays. If

you intend to work outside these hours you are requested to contact the Environmental Health Officer on 0115 9148322.

The Borough Council is charging developers for the first time provision of wheeled refuse containers for household and recycling wastes. Only containers supplied by Rushcliffe Borough Council will be emptied, refuse containers will need to be provided prior to the occupation of any dwellings. Please contact the Borough Council (Tel: 0115 981 9911) and ask for the Recycling Officer to arrange for payment and delivery of the bins.

All workers / contractors should be made aware of the potential of protected / priority species being found on site and care should be taken during works to avoid harm (including during any tree works) , if protected species are found then all work should cease and an ecologist should be consulted immediately.

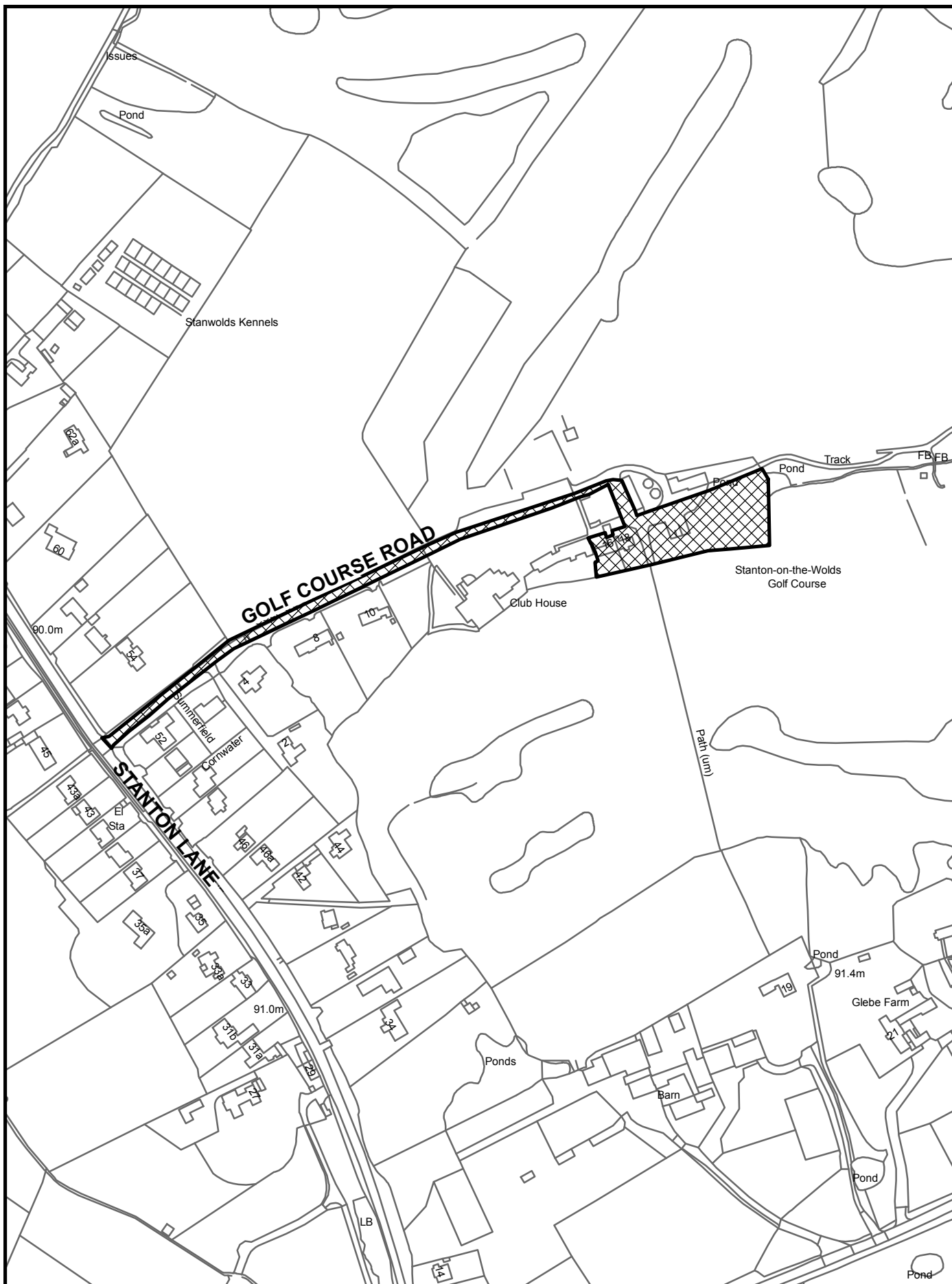
All work impacting on buildings used by nesting birds should avoid the active bird nesting season, if this is not possible a search of the impacted areas should be carried out by a suitably competent person for nests immediately prior to the commencement of works. If any nests are found work should not commence until a suitably qualified ecologist has been consulted.

The use of external lighting (during construction and post construction) should be appropriate to avoid adverse impacts on bat populations, see http://www.bats.org.uk/pages/bats_and_lighting.html for advice and a wildlife sensitive lighting scheme should be developed and implemented. No night work should be carried out.

Best practice should be followed during building work to ensure trenches dug during works activities that are left open overnight should be left with a sloping end or ramp to allow animal that may fall in to escape. Also, any pipes over 200mm in diameter should be capped off at night to prevent animals entering.

It is recommended the installation of bat box and bird boxes be incorporated into the buildings.

Consideration should be given to energy efficiency, water sustainability, management of waste during and post construction and the use of recycled materials and sustainable building methods and sustainable transportation.



Application Number: 18/01010/FUL
Stanton on the Wolds Golf Club
Golf Course Road,
Stanton on the Wolds

scale 1:3000

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18/01010/FUL

Applicant Stanton On The Wolds Golf Club Ltd

Location Stanton On The Wolds Golf Club Golf Course Road Stanton On The Wolds Nottinghamshire

Proposal Construction of two single storey dwellings and demolition of two storey cottages post occupation (resubmission)

Ward Keyworth and Wolds

THE SITE AND SURROUNDINGS

1. The application site forms an area within the grounds of Stanton on the Wolds Golf Club which is located within the Nottingham and Derby Green Belt. The site is accessed via Golf Course Road, a private road which connects with Stanton Lane to the west. The site is beyond the built up area of the village and in terms of planning policy, is located in the open countryside. Stanton On The Wolds Golf Course is a Designated Wildlife Site. A public right of way runs north/south through the site.
2. The site itself forms an area of the green keeper's compound which is partly hard surfaced and partly vegetated surrounded by trees to the south and east and the green keeper's shed which is constructed of breeze block and sheet metal to the north. A pair of semi-detached Victorian rendered cottages which currently provide on-site living accommodation for employees are located to the west with the pro shop, club house and car park beyond.

DETAILS OF THE PROPOSAL

3. The application seeks full planning permission for the construction and siting of two single storey park home style dwellings for occupation by employees and their families associated with the day-to-day running of the golf club. The proposal seeks to replace two existing Victorian cottages located within the grounds of the golf club. The siting of the proposed structures is 35m further east, away from the site of the existing cottages. It is proposed that the demolition of the existing cottages takes place following occupation of the proposed dwellings.
4. The proposed structures would measure 16.6m in length and 6.7m in width with a height of 2.8m to the eaves and 4.2m to the ridge. They would be externally faced in solid log timber with a profile sheet roof having the appearance of concrete tiles. Two parking spaces per dwelling and a small amount of curtilage space have been shown on the submitted plans.

SITE HISTORY

5. 17/02415/FUL - Construction of 2 no. single storey dwellings and subsequent demolition of 2 no. two storey cottages. This application was withdrawn in January 2018.

REPRESENTATIONS

Ward Councillor(s)

6. The Ward Councillor (Cllr. Edyvean) supports the application, as the proposal will provide suitable on site accommodation for key employees which is essential for the provision of the golfing facility. He states that the existing unsuitable dwellings will be removed and it is understood that the land on which they stand will be returned to the green belt. The new dwellings are to be constructed at a nearby location which is currently laid to concrete and used for storage. He argues that the new dwellings could be built in the existing location of the old cottages but improvements in technology over the years have rendered this location within easy reach of the first tee, and that there is a constant danger of flying golf balls landing in the gardens of the existing cottages. The new proposed location removes the danger from golf balls hit from the first tee. It is his opinion that the openness of the green belt will not be affected.

Town/Parish Council

7. Stanton On The Wolds Parish Council objects to the application due to the site's location within the Green Belt of which there are no special circumstances demonstrated to allow the development.

Statutory and Other Consultees

8. Nottinghamshire County Council as Highway Authority did not wish to make any observations on the application.
9. Nottinghamshire County Council Public Rights of Way Team raises no objection to the proposal as Footpath No. 4 does not appear to be affected by the proposal. The applicant is advised that should the footpath require closure during construction or demolition, or any change to the surfacing or alignment of the footpath, that the relevant notice and permissions are required.
10. The Borough Council's Design and Conservation Officer considers the two 'park home' style dwellings have no regard to local context and represent fairly basic and simple designs. He is therefore of the view that the proposal fails to achieve the supported principles of good design within the NPPF, particularly the following sections of paragraph 58 [revised to paragraph 127 of the NPPF 2018 which stated in its original form that proposals should]:
 - a) *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation*
 - b) *are visually attractive as a result of good architecture and appropriate landscaping*
11. Chapter 7 of the NPPF [chapter 12 of the NPPF 2018] makes clear that the requirement for good design applies to individual buildings as much as it does to large developments and that good design is a "key aspect of

sustainable development, is indivisible from good planning, and should contribute positively to making places better for people".

12. A scheme of repair and renovation is required to the two cottages, however some of the work is minor and/or cosmetic and ongoing maintenance is a reality of all buildings.
13. The Officer further notes that buildings with external timber cladding will be in particular need of regular maintenance to ensure that woodwork is adequately protected, particularly in a position surrounded by trees, the sap from which has a tendency to quickly turn exposed timber green and slimy. The proposed buildings would be in close proximity to trees, it is unclear if the proposal requires the felling of any trees. If the existing compound is necessary for the operation of the golf club then the proposed buildings would only necessitate the recreation of this compound and the displacement of its associated buildings elsewhere and as such the argument that this avoids harm to the greenbelt is flawed.
14. The Borough Council's Environmental Sustainability Officer objects to the application and advises that the application should not be determined until such time that a survey is carried out to ascertain the ecological value of the area to be developed and the potential harm to ecology and habitats. The ecological survey submitted concerning the cottages proposed for demolition is noted.

Local Residents and the General Public

15. Written representations have been received from two local residents offering support for the proposal on the grounds that the proposed structures will replace poorly constructed properties which are no longer fit for purpose. It is also stated that the structures will blend in to the surroundings and be beneficial to the future of the golf club.
16. One written representation objecting to the proposal has been received from a local resident raising the following concerns:-
 - a. Substandard energy efficiency of the proposed dwellings.
 - b. Unsustainable form of development impacting on environment.

PLANNING POLICY

17. The Development Plan for Rushcliffe comprises of the Local Plan Part 1 - Core Strategy and the 5 saved policies of the Rushcliffe Borough Local Plan 1996.
18. Other material considerations include the National Planning Policy Framework (2018) (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006). Whilst not part of the development plan the Borough Council has adopted the Rushcliffe Borough Non-Statutory Replacement Local Plan for the purposes of Development Control and this is considered to be a material planning consideration in the determination of planning applications where still in compliance with the NPPF.

Relevant National Planning Policies and Guidance

19. The NPPF carries a presumption in favour of sustainable development and states that, for decision taking, this means *“approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*
20. In relation to design and residential amenity section 12 of the NPPF seeks to ensure the creation of high quality buildings and places and that good design is a key aspect of sustainable development. Paragraph 127 of the NPPF states that *“planning policies and decisions should ensure that developments function well and add to the overall quality of an area, are visually attractive, sympathetic to the local character and history and create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users”*. Paragraph 130 states, *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”*
21. As the site falls within the Green Belt, the proposal falls to be considered under section 13 of the NPPF (Protecting Green Belt Land) and should satisfy the 5 purposes of Green Belt outlined in paragraph 134 of the NPPF. Paragraph 143 states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 states local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt with certain exceptions. Paragraphs 145 and 146 include a ‘closed’ list of the types of development which should be regarded as not inappropriate within the Green Belt.
22. In relation to conserving and enhancing the natural environment, paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by *“ minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”*. Paragraph 175 states that *“if significant harm to biodiversity resulting from a development cannot be avoided or adequately mitigated, then planning permission should be refused.”*

Relevant Local Planning Policies and Guidance

23. Policy 1 of the Core Strategy sets out the need for a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The proposal should be considered under Core Strategy Policy

10 (Design and Enhancing Local Identity). Development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. Development shall be assessed in terms of the criteria listed under section 2 of Policy 10, and of particular relevance to this application are 2(b) whereby development shall be assessed in terms of its impacts on neighbouring amenity; 2(f) in terms of its massing, scale and proportion; and 2(g) in terms of assessing the proposed materials, architectural style and detailing. Policy 17 seeks to protect restore, expand and enhance existing areas of biodiversity interest and ensuring where harm to biodiversity is unavoidable, mitigation or compensate at a level equivalent to the value of the habitat lost.

24. The site falls within the Green Belt as defined by policy ENV15 of the 1996 Local Plan. None of the other saved Local Plan policies are relevant in the determination of the application.
25. Whilst not a statutory document, the policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan should be given weight as a material consideration in decision making. The proposal falls to be considered under the criteria of Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Non-Statutory Replacement Local Plan. The scale, density, height, massing, design, layout and materials of the proposals are sympathetic to the character and appearance of the neighbouring buildings and the surrounding area. The proposal also falls to be considered under Green Belt polices EN14 and EN19.
26. Policy HOU6 (Replacement Dwellings) of the Local Plan also applies, this policy sets out the criteria against which replacement dwellings will be considered, including [inter alia];

f) the replacement dwelling is in the same location as the existing dwelling, unless there are good reasons for moving it. The original dwelling should be demolished following completion of the replacement dwelling; and

g) The proposed dwelling is of a design, and built of materials which are in keeping with the character of the surrounding area

APPRAISAL

27. The key issues to consider in relation to this application are the impact on the green belt and the open countryside, and the overall design and appearance of the proposed dwellings. In addition, there are matters of protected species and their habitats which require addressing.
28. Paragraph 143 of the NPPF sets out that *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*. Paragraph 145 goes on to further state that the local planning authority should regard the construction of new buildings as inappropriate in the Green Belt with a number of exceptions, these exceptions form a ‘closed list’ as established by case law.
29. Under paragraph 145 (b) exceptions include *“the provision of appropriate facilities (in connection with the existing use of land or a change of use) for*

outdoor sport, outdoor recreation [...]; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;" In the case of a golf course, this might typically include buildings associated with a driving range or buildings to store grounds maintenance equipment.

30. No detailed information has been provided in support of the application to establish why residential accommodation is essential on site for the Club Manager and the Head Greenkeeper and it is not considered, therefore, that residential accommodation can be considered an appropriate facility for the purposes of Green Belt policy. It is considered the proposal does not fall within the exception described in paragraph 145 (b).
31. Under paragraph 145 (d) exceptions also include *"the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces"*. Policy HOU6 of the Non-Statutory Plan also deals with replacement dwellings and sets out criteria on which to judge applications, including that the replacement dwelling should be in the same location unless there are good reasons otherwise. In the application of this policy and as a starting point, to be regarded as a replacement dwelling, it is considered that the new dwelling should occupy the same footprint or at least be within the curtilage of the dwelling being replaced.
32. The proposed dwellings would be situated outside of the domestic curtilage that serves the existing dwellings, extending further into the countryside, somewhat divorced from the built up area of the golf club as existing. It is acknowledged that the proposed site is a greenkeeper's compound with sheds and some hard surfacing, however the site is not domestic in nature and currently has limited impact on the openness on the area. Other than to maintain continuous provision of accommodation for key staff, no convincing justification has been provided as to why the new dwellings could not be constructed on the site of the existing dwellings. Furthermore, the application is not accompanied by any form of Section 106 obligation, or the offer of one, that would ensure the existing cottages were demolished and the land use restricted to uses appropriate to the Green Belt following occupation of the proposed new dwellings, which gives the Borough Council no guarantee that this proposal would not ultimately result in four dwellings on site as opposed to the current two. In these circumstances, the new dwellings could not be regarded as 'replacement' dwellings and as new buildings in the Green Belt, which do not fall within any of the listed exceptions, they would be regarded as inappropriate development and harmful by definition.
33. It is suggested in a letter which accompanied the application that the location of the existing dwellings in relation to the first fairway puts them at risk of being struck by golf balls and that the gardens are unusable during the hours of play. Whilst this might be more of a problem if the dwellings were occupied by people unrelated to the golf course, the dwellings are occupied by the club manager and green keeper and as such, it is not considered that this provides any justification for the new siting of the dwellings. It would seem quite possible to employ other measures to protect these dwellings from stray golf balls, such as additional tree planting or netting. Furthermore, the first fairway runs west to east, past both the existing dwellings and the site of the proposed dwellings. Whilst the site of the proposed dwellings may be afforded a greater degree of protection from intervening trees, the siting

does not necessarily mean that they would not similarly be at risk from stray golf balls. It is also suggested in the supporting information that the dwellings would be sited within the greenkeeper's compound containing various buildings and materials necessary for the operation of the operation of the golf club. However, no information has been provided regarding where, if necessary, this storage facility would be relocated to or the impact of the dwellings on this necessary facility.

34. The site is in the open countryside and although screened by trees their health and size cannot be guaranteed in perpetuity, considerations of openness relate to more than just visual impact (as demonstrated by appeal decisions regarding basements in Green Belt locations) and as such, the development has the potential to impact more significantly on the undeveloped character and openness of the Green Belt than the existing cottages. Furthermore, this would extend the built development of the site into the open countryside.
35. It is acknowledged that the applicant is seeking to provide on-site living accommodation which is of a habitable standard without the financial burden of ongoing maintenance costs associated with the existing employee accommodation. However, the design of the proposed dwellings are of a fairly standard and 'off the peg' style, there has been no attempt to design the dwellings sensitively in relation to their surroundings and they are not considered to make any effort to respond to their surroundings. The proposal also fails, therefore, on grounds of design.
36. Bats and their habitats are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), and by the Habitats Regulations 1994 (as amended 2007). The submitted Protected Species Appraisal states that the existing buildings to be demolished are in a good state of repair, with no gaps, cracks or crevices within the brickwork and mortar. The roofs are also in a good state of repair, with no raised areas of lead flashing around the chimneys and only a single raised tile noted at the top of the gable end on the south-eastern part of the roof.
37. The survey concludes that there are no features suitable for nesting birds on the buildings and that nesting birds do not pose a constraint to the demolition of the existing buildings. No evidence of bats was found and the potential for bats to be present within the building is considered to be low. However, some areas of the roof void were inaccessible and it cannot be completely discounted that bats may be using the building in small numbers or on an occasional basis. It is therefore recommended that should demolition take place during the active season (March – September) a precautionary dusk emergence survey be carried out on the building.
38. The submitted application form states that no protected or priority species or habitats are present on the site or adjacent sites. This is factually incorrect as the land adjacent is designated as a Local Wildlife Site (ref: 2/902 - Stanton on the Wolds Golf Course LWS). The submitted Protected Species Survey does not consider the potential for protected species and habitats within the area of proposed development, which contains trees and vegetation at ground level and along the northern, eastern and southern perimeter. The Council's Environmental Sustainability Officer has recommended that the application should not be considered any further until such evidence has

been submitted that clarifies and determines the ecological value and potential impact of the development on the area proposed for the siting of the mobile homes. Without this information, it is not considered that Officers or Members can make an informed assessment or determination in terms of the potential ecological impact and any mitigation that may be required. Without any evidence to the contrary, the default position is to assume that the site is of ecological value and protected species and habitats would be adversely affected by the proposed development. This would, therefore, constitute a substantiated reason to refuse the application being contrary to Paragraph 175 of the NPPF which states that if significant harm to biodiversity cannot be avoided through mitigation, then planning permission should be refused.

39. An objection has been received on the grounds that the proposed structures would amount to substandard residential accommodation inadequate for long term habitation and the subsequent environmental of high energy consumption and inefficient heat insulation. Whilst it is acknowledged that the proposed structures are not conventional dwellings in respect of their construction, the submitted documents assert that they are compliant with BS3632 in terms of heat, sound and fire insulation for residential park homes. Refusal of the application on grounds that the accommodation is not the most environmentally efficient could not be robustly justified.
40. The proposal was the subject of pre-application discussions and the applicant/agent was made aware of the fundamental policy objections and identified unacceptable impacts of the development. The applicant/agent chose to submit the application without making any amendments to the proposal. In order to avoid further abortive costs to the applicant, the application is recommended for refusal without further negotiation.

RECOMMENDATION

It is **RECOMMENDED** that planning permission be refused for the following reason(s)

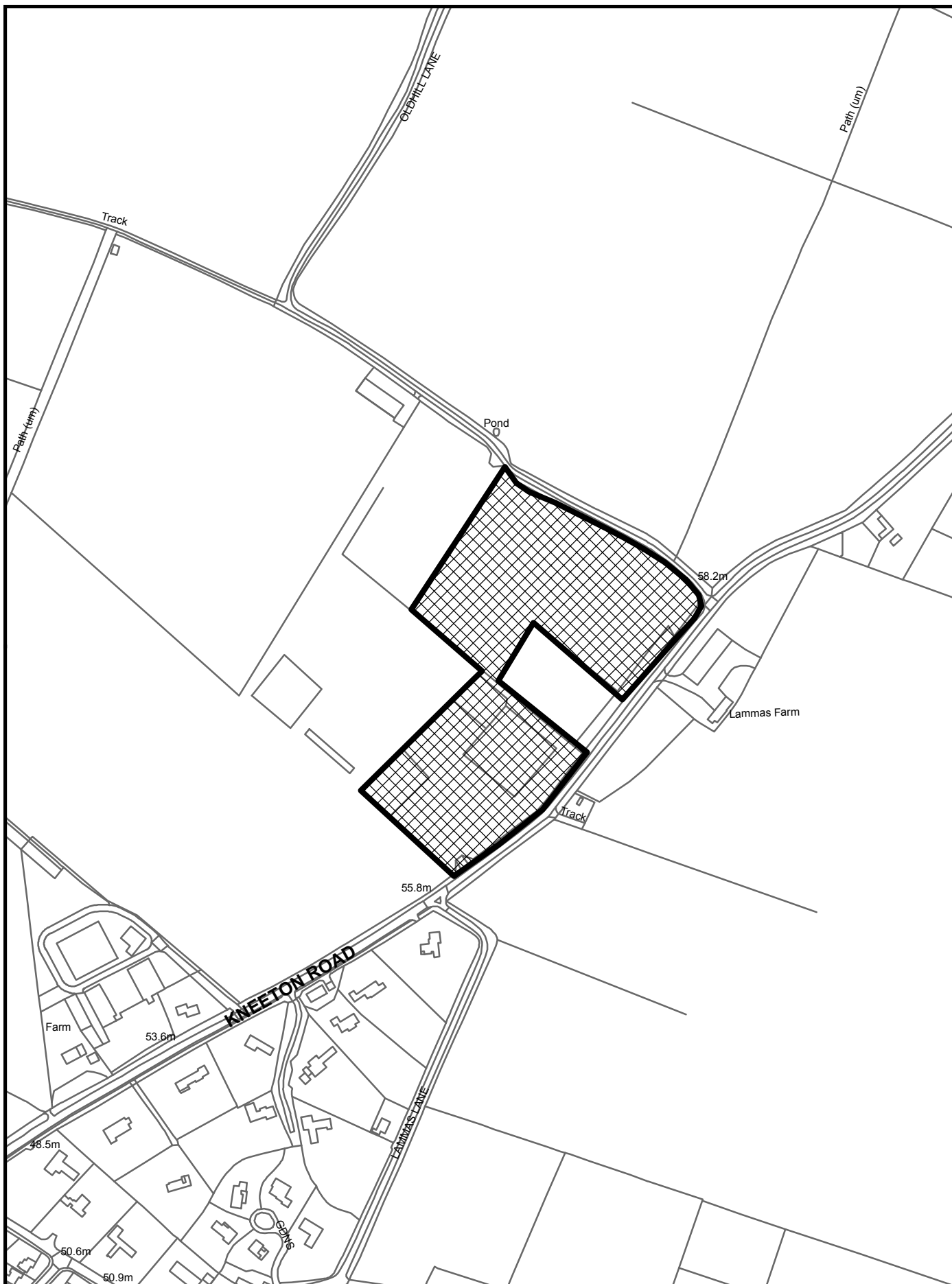
1. The proposal involves new buildings in the Green Belt and, therefore, constitutes inappropriate development, which is harmful by definition, and the Borough Council is not satisfied that the development falls within one of the exceptions listed within paragraph 145 of the National Planning Policy Framework. Furthermore, the proposed dwellings would, by virtue of their proposed location, divorced from the existing domestic curtilage and built development associated with the golf club and extending further into the open countryside, result in a greater and more harmful impact on the openness of the Green Belt. The Borough Council does not consider it has been adequately demonstrated that all other options to retain the existing buildings or replace them in the existing location have been adequately demonstrated or that very special circumstances have been demonstrated to outweigh the harm to the Green Belt. The proposal is therefore contrary to Policies HOU6 and EN14 of the Rushcliffe Borough Non-Statutory Replacement Local Plan, and the National Planning Policy Framework paragraph 144 which states: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt."

2. The proposed development site is located adjacent to a designated Local Wildlife Site and a large number of trees and ground vegetation. It has not been demonstrated to the satisfaction of the local planning authority that the proposal would not cause harm to features of biodiversity, protected species or their habitats and that appropriate mitigation can be provided. The proposal is therefore contrary to paragraph 170 of the NPPF which states that planning decisions should contribute to and enhance the local environment by minimising impacts on and providing net gains for biodiversity and paragraph 175 which requires that local planning authorities refuse planning permission for developments that do not mitigate the impacts of significant harm to biodiversity. The proposal would also be contrary to Policy 17 of the Rushcliffe Local Plan Part 1: Core Strategy which states that designated sites of biological importance for nature conservation will be protected and that development will only be permitted where it can be demonstrated that there is an overriding need for the development and that adequate mitigation measures are put in place.

3. The proposed design of the two new dwellings would not respond sensitively or appropriately to the character and setting of the site, it would, therefore, be contrary to Policy HOU6 of the Rushcliffe Borough Non-Statutory Replacement Local Plan and to Paragraph 130 of the NPPF which states:

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”

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Application Number: 18/00163/FUL
West of Lammas Farm, Kneeton Road,
East Bridgford

scale 1:4000

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18/00163/FUL

Applicant Mr Kerry

Location Land North West Of Lammas Farm Kneeton Road East Bridgford
Nottinghamshire

Proposal Erection of a temporary rural workers dwelling and agricultural building.

Ward East Bridgford

THE SITE AND SURROUNDINGS

1. The site is located to the north of East Bridgford at the junction of Kneeton Road and Oldhill Lane. The site is in the open countryside and is located within the Green Belt. The land in the applicants control extends to 3.5 ha and is surrounded by open countryside with Lammas Farm across the road to the south-east and a bee Farm to the south-west. The site has an existing field access off Kneeton Road and is well screened by trees and hedgerows.

DETAILS OF THE PROPOSAL

2. The application is for the erection of a temporary rural workers dwelling and agricultural building in connection with a free-range rabbit farm enterprise. The proposed living accommodation would have a footprint of 11.9 metres by 5.9 metres, height to the eaves 2.9 metres and 3.5 metres to the ridge. The accommodation would provide an open plan kitchen/dining/living room, two bedrooms and a bathroom. The agricultural building would have a footprint of 23.3 metres by 11.9 metres, height to the eaves of 4.1 metres and 5.1 metres to the ridge.

SITE HISTORY

3. The planning history for the site includes the approval of an application (ref: 16/00766/CLUPRD) for a certificate of lawfulness for the siting of a mobile caravan for purposes ancillary to the agricultural use of the land. This related to a proposed development to site a caravan for agricultural storage purposes on the site.
4. Although not related to the current application site, the applicant has established a rabbit breeding/rearing business on a site at Granby and was granted consent in 2017 at appeal for a permanent dwelling to serve this unit.

REPRESENTATIONS

Ward Councillors

5. The Ward Councillor (Cllr Lawrence) does not believe that the plot of land is big enough to justify the provision of a workers dwelling.

Town/Parish Council

6. The Parish Council object making the following comments:
 - a. The Borough Council does not appear to have been consulted and it is assumed that as this application involves a dwelling, planning permission is needed.
 - b. Are the Green Belt conditions applicable here? If so, are they complied with?
 - c. There is no information on the following aspects and there ought to be:
 - traffic in and out, hours, type and frequency
 - storage and disposal of waste which may include butchery and other waste products.
 - it is implied that there will be sales on site to visitors.
 - d. Wild rabbits were common in some of the fields around the village which have been reduced by some of the common fatal rabbit diseases.
 - e. The proposal is visually downgrading with no attempt to conceal utilitarian buildings.
 - f. Is this an application for a Change of Planning Use?
 - g. The two site drawings – ownership and use are very hard to understand.
 - h. It is claimed that a thriving similar business has been established at Granby and it may be useful for the Borough to check the effects of this with Granby's Parish Clerk. One of our cllrs has spoken to the Clerk there and it seems that the house had permission granted on appeal and it is now up for sale.

Local Residents and the General Public

7. No comments received.

Statutory and Non Statutory Consultees

8. Nottinghamshire County Council as Highway Authority refer to standing advice.
9. The Borough Council's Environmental Health Officer comments that provided the tenancy of the dwelling is an agricultural tenancy they raise no objections to the application.

PLANNING POLICY

10. The Development Plan for Rushcliffe consists of the Rushcliffe Local Plan Part 1: Core Strategy and the 5 saved policies of the Rushcliffe Borough Local Plan 1996. Other material planning considerations include the National Planning Policy Framework (NPPF) and the Rushcliffe Borough Non-Statutory Replacement Local Plan 2006.

Relevant National Planning Policies and Guidance

11. The National Planning Policy Framework carries a presumption in favour of sustainable development. Local Planning Authorities should approach decision making in a positive way to foster the delivery of sustainable development. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. Development proposals that accord with the development plan should be determined without delay. Where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
12. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:
 - an economic role – contributing to building a strong, responsive and competitive economy;
 - a social role – supporting strong, vibrant and healthy communities by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and
 - an environmental role – contributing to protecting and enhancing our natural, built and historic environment.
13. Chapter 13 relates to protecting the Green Belt with the fundamental aim of keeping land permanently open. Paragraph 143 states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that when considering a planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Paragraph 145 advises that the construction of new buildings should be regarded as inappropriate and specifies certain exceptions, including buildings for agriculture and forestry.
14. Chapter 15 advises that planning decisions should contribute to and enhance the natural environment and recognise the intrinsic beauty of the countryside.
15. Paragraph 79 states isolated dwellings in the countryside should be avoided unless, amongst other things, there is an essential need for a rural worker to live permanently at the place of work.
16. Also of relevance is the cancelled Annex A (Agricultural, Forestry and other occupational dwellings) of Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7). This guidance states that isolated new houses in the countryside require special justification. Annex A sets out the tests, both functional and financial, that must be satisfied to meet this requirement. Paragraph 3 of the annex (Permanent agricultural dwellings) states that new permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units providing:
 - i. there is a clearly established existing functional need;

- ii. the need relates to a full time worker, or one who is primarily employed in agriculture and does not relate to part time employment;
 - iii. the unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
 - iv. the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
 - v. other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.
17. It also states that agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long term, should not be permitted. It is the requirements of the enterprise, rather than those of the owner/occupier, that are relevant in determining the size of a dwelling that is appropriate to a particular holding.
18. Whilst this guidance has been cancelled, in the absence of any detailed alternative guidance, it is considered that the methodology set out in Annex A of PPS7 is an appropriate way to assess whether there is an 'essential need' for a rural worker to live permanently at or near their place of work in the countryside.

Relevant Local Planning Policies and Guidance

19. Core Strategy Policies 1: (Presumption in Favour of Sustainable Development), 5 (Employment Provision and Economic Development) and 10 (Design and Enhancing Local Identity) are considered to be relevant. Policy 5 states that the economy will be strengthened and diversified by (amongst other means) encouraging economic development of an appropriate scale to diversify and support the local economy.
20. Policies GP2 (Design and Amenity Criteria), EN14 (Protecting the Green Belt), EN19 (Protection of Open Countryside), HOU4 (New Dwellings in the Countryside) and HOU5 (Temporary Accommodation) of the Rushcliffe Borough Non-Statutory Replacement Local Plan are also considered to be relevant.
21. Policy HOU4 allows for agricultural dwellings outside settlements where it can be demonstrated that:
- a. The existing farm business is financially sound, or in the case of a proposed business, that it has been planned on a sound financial basis;
 - b. There is a long-term need for a dwelling verified by an expert report;
 - c. The need for the accommodation cannot reasonably be met in a nearby settlement or dwelling;

- d. The dwelling cannot be provided by a temporary building or reasonable conversion of buildings on the site; and
 - e. The dwelling size should be appropriate to the functional needs of the business.
22. Policy HOU5 states that *'Where a new dwelling is essential to support a proposed new farming activity or other activity appropriate in the open countryside and there is clear evidence both of a firm intention to develop the enterprise and that it has been planned on a sound financial basis, then temporary on-site accommodation may be permitted, during which time the need for the dwelling must be established.'*

APPRAISAL

23. The proposal seeks the development of a 300 doe free-range rabbit production unit, to be established over the next three years, to include the provision of temporary agricultural workers accommodation. The rabbit farm would occupy approx. 2 acres of the site.
24. The applicant has submitted a statement which states that it is essential that someone is readily available at most times to manage the rabbit enterprise, specifically to manage the birthing process and ensure doe and kits are retained within the nest area, ensure kits obtain adequate colostrum and milk, ensure the health and well-being of the stock generally, provide a security deterrent against wild animal and human intruders, manage predators and to provide a point of contact for customers.
25. The applicant's budget suggest that the enterprise ought to be capable of generating a profit in excess of £25,000 by Year 3 and will cover notional and fixed costs. He also confirms there are no dwellings available to rent or buy in the locality that can service the identified need.
26. In considering this application, the Council has sought specialist advice from an agricultural consultant to assess the proposal and, in particular, to offer advice on the tests relevant when considering applications for dwellings for rural workers; firstly whether there is a functional need to live on or near the holding and secondly whether the business is financially viable, or in the case of a proposed business, that it has been planned on a sound financial basis.
27. The Consultant notes the free range rabbit breeding/rearing model has been developed by the applicant since 2010 and was determined by the Planning Inspector following the appeal in respect of the site at Granby to be commercially viable. The applicant wishes to develop a second unit at East Bridgford to meet growing demand for rabbit meat.
28. The unit would employ one full time member of staff and the submitted report provides standard data that a 250 doe breeding unit will require at least one full time worker; this was examined and accepted at the Granby Appeal hearing. In this case the applicant wishes to establish a 300 doe unit and the Consultant accepts that one full time worker would be fully justified. An enterprise of this size and type is dependent on a high level of management as well as extremely tight security including bio-security. As such, the enterprise as proposed provides an essential need for a temporary on-site

dwelling. In terms of “sustainability”, the enterprise is appropriate for the unit and the applicant has provided financial results for the similar unit at Granby which demonstrate financial viability as well as budgets for the East Bridgford site.

29. The Consultant also notes that the unit will effectively double the output from the existing business at Granby but the applicant has not provided any conclusive evidence that there is sufficient market demand for the additional output other than general assurances about the growth in rabbit meat consumption and the development of other outlets e.g. pelts. The business model provides the applicant with a relatively low cost means of acquiring consent for agricultural dwellings on small parcels of land and is potentially open to some abuse by simply moving operations from one site to another once permanent consent has been given. However, the Consultant is satisfied that a temporary consent will give the applicant time to demonstrate market demand and financial viability but would expect to see the continuation of the sister site(s) such as Granby alongside the East Bridgford unit when assessing any future application for a permanent dwelling at East Bridgford.
30. In this case the agricultural advice received has been considered very carefully and it is concluded that the proposal meets both the functional and financial tests and a three year temporary consent would give the applicant time to demonstrate (or otherwise) the true level of market demand for the additional rabbit meat from this unit. As such, no objection is raised to the principle of the proposal.
31. The site is located within the Derby-Nottingham Green Belt. Both national and local policy set out that the construction of new buildings in the Green Belt will be considered as inappropriate development, subject to a number of exceptions. One of these exceptions is buildings for agriculture and forestry and as such farm related buildings can be acceptable in principle. Accordingly the agricultural building and associated temporary dwelling are considered acceptable in this location in terms of Green Belt considerations.
32. The application proposes the erection of a temporary rural workers dwelling and agricultural building in an area characterised by other agricultural development within a countryside setting. The agricultural building would create a substantial building in this open countryside location. However, many modern agricultural buildings are significantly larger. The agricultural building and workers dwelling are detached from each other and the agricultural building would be constructed of profiled steel sheeting which is typical of modern agricultural buildings. The workers dwelling would be a timber clad log cabin. The site is well screened and there are no open public views of the locality. It is, therefore, considered that the design and appearance of the buildings would be sympathetic to the rural character of the surroundings, and would not be detrimental to the character and appearance of the area.
33. In view of the scale of the development and distance from the boundary of East Bridgford Conservation Area, it is considered that there would be no harm to the character and appearance of the Conservation Area or its setting.

34. The nearest residential property is approximately 400m from the site. The use is, therefore, not considered to impact on the amenities of neighbouring properties given the separation distances involved and the existence of mature landscaping.
35. There is an existing access into the site and the proposed use would not result in any significant increase in the use of the access or the local highway network.
36. This is a proposal for the erection of a temporary rural workers dwelling and agricultural building. In accordance with current Government advice and the Local Plan, there is a presumption in favour of permitting sustainable economic development in the countryside. The applicant has developed a model for 300 doe rabbit breeding units which have a full time labour requirement. At this scale, the nature of the enterprise requires the key worker to live within sight and sound of the breeding does and, therefore, in practice, on site. A review of the financial information provided in support of the application suggests that the business should be financially viable. It is considered that a three year temporary consent will give the applicant time to demonstrate (or otherwise) the true level of market demand for the additional rabbit meat from this unit. The proposal meets both the functional and financial tests and there are no residential amenity issues or adverse impact on highway safety. The application, therefore, accords with Government guidance as set out in the NPPF and policies and the relevant paragraphs of the adopted Local Plan.
37. Negotiations have not taken place during the consideration of the application and the proposal is considered acceptable and can be recommended for approval.

RECOMMENDATION

It is RECOMMENDED that planning permission be granted subject to the following condition(s)

1. This permission shall be for a limited period expiring on the date three years from the date of this permission, on or before which date the occupation of the temporary dwelling shall cease and the building shall be removed from the land, and the land shall be restored to its former condition in accordance with a scheme and timescale to be agreed in writing with the Borough Council.

[The development is of a nature whereby future development of this type should be closely controlled and to comply with policy HOU4 (New Dwellings in the Countryside) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

2. The permission hereby granted relates to the following plans:

Location Plan

Plan SC/BCH/03 - Block Plan

Plan SC/BCH/04 - Plans and elevations - rural workers dwelling

Plan SC/BCH/04 - Plans and elevations - agricultural building

[For the avoidance of doubt and to comply with Policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]

3. The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working, or last working, in the locality in agriculture, as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, or a widow or widower or spouse of such a person, and to any resident dependents.

[Permission is only granted on the basis of the dwelling being required for an agricultural worker and to comply with policy HOU4 (New Dwellings in the Countryside) of the Rushcliffe Borough Non-Statutory Replacement Local Plan]



Application Number: 18/01327/FUL
Dovecote, Main Street, Hickling

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18/01327/FUL

Applicant Mrs Joyce C Sharp

Location The Dovecote Main Street Hickling Nottinghamshire LE14 3AJ

Proposal Single storey rear extension including demolition of existing sun lounge, single storey front extension to garage, replace flat roof dormer with pitched roof bridging gap between dormer and garage, render to front elevation, and Juliet balcony to rear (revised scheme)

Ward Nevile and Langar

THE SITE AND SURROUNDINGS

1. The application property is a late 1960s/early 1970s 2 bedroom detached suburban chalet bungalow with a relatively steep gable fronting Main Street, with an attached garage to the side which originally had a flat roof. Extensions/alterations (approved under 18/00310/FUL) are under construction, including the provision of a pitched roof over the garage. The site is located on the west side of Main Street in a predominantly residential part of the village, within the Conservation Area. There is countryside adjacent to the west.
2. There are a variety of properties in the vicinity in terms of period, design/style and materials. 'Rowan House', adjacent to the south, is a relatively recent two storey house of a traditional design which replaced a bungalow from the same period as the application dwelling. To the south of this is 'Mulberry House', an 18th century Grade II listed building. A public footpath runs along the northern site boundary from Main Street to countryside to the west, and to the north of this is 'Olde Forge', a white rendered suburban bungalow. On the opposite side of Main Street is 'The Ruins' where a replacement dwelling of a predominantly traditional design with a more modern rear section is under construction.

DETAILS OF THE PROPOSAL

3. A rear sun lounge would be demolished and replaced with a larger extension to accommodate a new sun lounge with patio doors to the side and rear elevation and a glazed gable. The remaining extensions would accommodate extensions to the hall, garage and first floor bathroom. A first floor rear bedroom window would be replaced with French doors with a screen across to form a 'Juliet' balcony.
4. The approved scheme proposed render to the front elevation gable of the original dwelling to just below the cill of the first floor window with the original brickwork retained below. It is now proposed to render all of the original front elevation.
5. The plans also show a 1m high wall along the Main Street boundary which would constitute permitted development. However, a condition was imposed on 18/00310/FUL requiring the submission of details of screen

fencing/walling and means of enclosure, and details have subsequently been approved (ref. 18/01052/DISCON), including the details of the boundary treatment to the front of the site.

6. In response to objections from the Ward Councillor and Parish Council, the applicant has commented that the application is to bring the property up to current day standards. The front of the property has very little cavity and the applicant understands that render would offer weather proofing to the building and add a thermal barrier. Some of the bricks have lost fascia and are very weatherworn, and have holes in from the previous owner's ornamental fixings. She points out that part of Main Street has 23 properties with render on the front elevations. Some are old, some extensions and some are mid 60s properties, even the historical chapel has render. The property stands next to a white rendered bungalow and the applicant considers the design is purely sympathetic. The proposal would enhance the oak windows to the front elevation and give some character to this very sad property and would be more pleasing to the eye. The Parish Council in their comments consider the use of 'thick concrete tiles' to be unsuitable, the applicant considers this statement to be incorrect and advises that the tiles are slim fibre cement similar to slate tiles.

SITE HISTORY

7. Permission was refused for the construction of a replacement dwelling (following demolition of existing dwelling) in January 2018 (ref. 17/01982/FUL).
8. Permission was granted for the demolition of the dwelling (to allow replacement dwelling) in January 2018 (ref. 17/02761/FUL).
9. Permission was granted in March 2018 for a single storey rear extension including demolition of existing sun lounge, single storey front extension to garage, replace flat roof dormer with pitched roof bridging gap between dormer and garage, cladding to front elevation, and Juliet balcony to rear (ref. 18/00310/FUL).
10. An application to discharge conditions 3 and 4 of planning permission ref. 18/00310/FUL was approved in June 2018 (ref. 18/01052/DISCON).

REPRESENTATIONS

Ward Councillor(s)

11. The Ward Councillor (Cllr Combellack) agrees with the Parish Council and objects to the application commenting that render is not the traditional building form found in the village and that it seems such a shame to render the whole facia when clearly there has been a big and successful effort to match the buff brickwork to the original. Cllr Combellack questions the roof tiles to be used as there is a revision to the plans dated February 2018 where slate 'look a like' tiles are to be used, but it now appears the applicant has reverted to the original concrete tiles which she considers are entirely inappropriate in this setting.

Town/Parish Council

12. The Parish Council objects commenting, *'The members of Hickling Parish Council were disappointed to see the submission of the amendments to the approval of the previous application as this has been supported in good faith as it had not included the full rendering to the front elevation or concrete tiles. The Parish Council objects to the proposals as rendering has only historically been used on properties within the conservation area to hide poor brickwork and the Conservation Officer stated recently, that an application for rendering on Harles Acres was acceptable as it was outside the central focal point of the Conservation Area. Rendering is not appropriate for a building in a prominent position within the Conservation Area especially as the bricks have been well matched. The use of thick concrete tiles is also unsuitable for this development as the materials are not in keeping with the surrounding properties. The Parish Council would like to see the applicant adhere to the agreed approved plans'*.

Statutory and Other Consultees

13. The Design and Conservation Officer notes that the approved scheme proposed partial rendering of the upper section of the existing gable, whilst the lower part would remain as exposed brick and the new northern extension would be of matching brick, and that new proposal is for the frontage of the original element to be fully rendered and for the new northern extension to be in 'matching' brick.
14. He comments that an acceptable brick was previously approved via a discharge of condition for the extensions and, whilst this was a reasonably close match, it would not have been indistinguishable. Rendering of the existing section would avoid the difficulties of achieving a completely convincing match of materials. As no existing brickwork would be visible there would be nothing to compare the extension brickwork to, equally there would be no pressing need to match to the brickwork of the host property which was not ideally suited to the character of the local area anyway.
15. As none of the materials approved under the initial application have been included in this resubmission, he asks that a roofing materials specification will need to be applied.
16. Subject to these conditions, or complete details being obtained prior to determination, he concludes that the proposal would 'preserve' the special architectural and historic character and appearance of the conservation area and would achieve the 'desirable' objective described in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Local Residents and the General Public

17. 2 written representations have been received supporting the application with comments which are summarised as follows:
 - a. The Dovecote is situated between a rendered bungalow and a red brick house, and the render will enhance the front elevation by covering the older yellow brickwork.

- b. This is a sympathetic improvement on the present design.

PLANNING POLICY

18. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996), the Rushcliffe Local Plan Part 1: Core Strategy.
19. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006) and the Rushcliffe Residential Design Guide (RRDG).
20. Any decision should therefore be taken in accordance with the Rushcliffe Core Strategy, the NPPF and NPPG and policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Core Strategy and Framework, together with other material planning considerations

Relevant National Planning Policies and Guidance

21. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development. Local Planning Authorities should approach decision making in a positive way to foster the delivery of sustainable development. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.
22. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. The environmental role refers to 'contributing to protecting and enhancing our natural, built and historic environment'.
23. Two of the core planning principles state that planning should:
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of buildings and land.
 - Conserve heritage assets in a manner appropriate to their significance.
24. Chapter 12: 'Conserving and enhancing the historic environment' states that, in determining planning applications, local planning authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets;
 - The desirability of new development making a positive contribution to local character and distinctiveness.
25. Section 66 and 72 of The Planning (Listed Buildings and Conservation
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Areas) Act 1990 require that special attention is paid to desirability of preserving Listed Buildings and their settings and preserving or enhancing the character and appearance of Conservation Areas.

Relevant Local Planning Policies and Guidance

26. Policy 1 of the Rushcliffe Local Plan Part 1: Core Strategy sets out the need for a positive and proactive approach to planning decision making that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Other policies relevant to the current proposal are Policies 10 (Design and enhancing local identity) and 11 (Historic Environment).
27. Also of relevance are Policies GP2 (Design & Amenity criteria), EN2 (Conservation Areas and EN4 (Listed Buildings) of the Rushcliffe Borough Non-Statutory Replacement Local Plan.

APPRAISAL

28. The original dwelling is a typical 1960s/1970s suburban chalet bungalow and, whilst not unattractive, it is considered that it has no significant architectural or historic interest and makes no positive contribution to the overall character and appearance of the conservation area.
29. During consideration of the previous application (ref: 18/00310/FUL) it was considered that the character and appearance of the Conservation Area would be preserved. Due to the distance of the site from the Grade II listed Mulberry House and the intervening dwelling at 'The Rowans', it was also considered that the setting of the listed building would be preserved.
30. The only difference between the approved development and the current proposal is the rendering of the lower part of the original front elevation to match the approved rendered gable, i.e. the full rendering of the front elevation. As the applicant has noted, the Old Forge is fully rendered and there are other part and fully rendered buildings along Main Street to the north of the site, including a number of traditional dwellings. It is therefore considered that a relatively small area of additional rendering to match that which has already been approved would not be unsympathetic to the character of the area.
31. A matching brick and slate effect Marley Rivendale roof tiles were approved under the discharge of conditions application referred to in paragraph 10, and a condition could be imposed again to ensure use of these materials in the development.
32. In view of the above and the comments of the Design and Conservation Officer, it is considered that the character and appearance of the Conservation Area would be preserved. As the proposal would involve a relatively minor change to the approved scheme and to the external appearance of the dwelling, it also considered that the setting of the nearby listed building would be preserved. Consequently, the proposal satisfies the objectives described as desirable in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

33. Due to the siting, scale and design of the proposals it is considered that there would be no significant adverse impact on the amenities of adjacent or nearby properties. Specifically it is considered that the shallower roof pitch and reduction in height of the garage section by 1.2m would address the Council's concern about an undue overbearing effect on 'Olde Forge' in relation to the plans proposed under application ref: 17/10982/FUL.
34. The application was not subject to formal pre-application discussions and it was not necessary to contact the applicant during processing of the application.

RECOMMENDATION

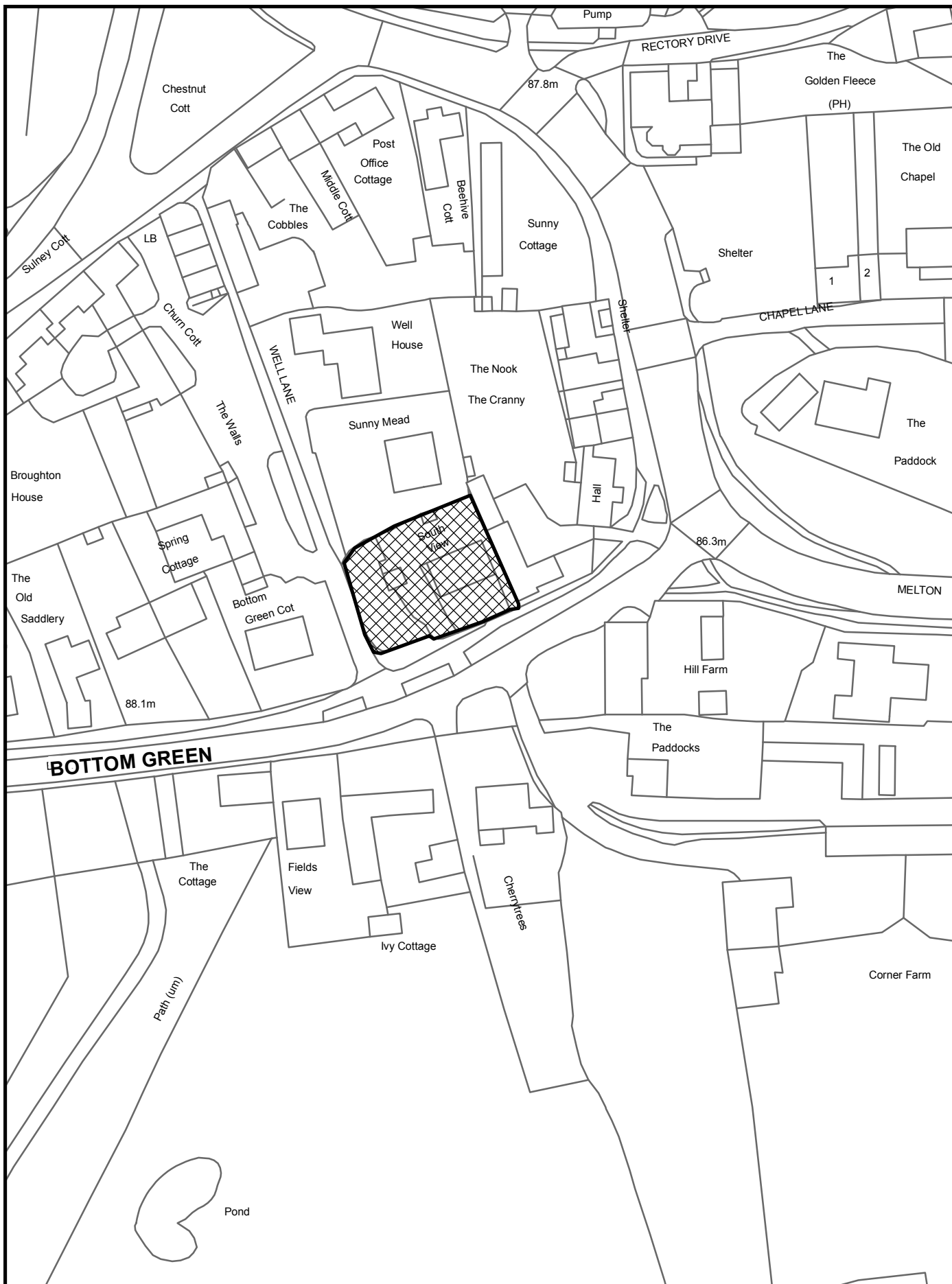
It is RECOMMENDED that planning permission be granted subject to the following condition

1. The development hereby permitted shall be carried out in accordance with the 1:500 block plan received on 01/06/2018, and plan ref. S.H. 02 C, with the exception of the brickwork which shall be Swarland Autumn Brown Sandface, and the roof tiles which shall be Marley Rivendale.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan]

2. All screen fencing/walling and means of enclosure to be erected on the site shall be in accordance with the details approved under application ref. 18/01052/DISCON.

[In the interest of amenity and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].



Application Number: 18/01011/RELD
Southview, Bottom Green, Upper Broughton

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Rushcliffe Borough Council - 100019419

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18/01011/RELDDEM

Applicant Mr and Mrs Shaw

Location Southview Bottom Green Upper Broughton Nottinghamshire LE14 3BA

Proposal Demolition of existing gateway and section of boundary wall.

Ward Nevile and Langar

THE SITE AND SURROUNDINGS

1. South View comprises a two storey detached house situated within the Upper Broughton Conservation Area. It is presently served by a 3m wide, gated vehicular access. The front boundary comprises a hedge to the west of the access and a 1.4m high wall to the east.

DETAILS OF THE PROPOSAL

2. It is proposed to widen the vehicular access to 5.25m, which would involve the removal of the gates and gateposts and the demolition of approximately 2.25m of the wall along the frontage of the site together with a wall which runs at right angles to the road up to the house frontage. This work is associated with a proposal for an additional dwelling to be constructed within the curtilage of Southview (see planning history below).
3. As the site lies within the Conservation Area the boundary structures which exceed 1m in height adjacent to the highway require planning permission for relevant demolition of an unlisted building in a Conservation Area.

SITE HISTORY

4. Planning permission was granted in 2006 for the retention of 1.9m high timber gates – ref: 06/01471/FUL.
5. In May 2018, planning permission was granted for the erection of a two storey dwelling on part of the side garden of the property (ref 18/00819/FUL). This involved the widening of the access to 5.25m to provide access and parking facilities for the existing and proposed dwellings.

REPRESENTATIONS

Ward Councillor(s)

6. The Ward Councillor (Cllr Combellack) objects on the same grounds as the Parish Council (see below).

Town/Parish Council

7. The Parish Council objects and comments, "*The Parish Council believes the boundary wall has been identified as a significant feature in the Conservation*

Area and as such it should be protected. The Parish Council does not object to the demolition of the adjoining side wall within the grounds of South View with the retention of a pillar to support the front wall but it objects to the loss of the wall at the front (south) elevation of the property to provide a wider entrance for access to the property. The extension could be widened to the west of the drive and a small proportion of the hedge could be removed, leaving the wall untouched.”

Statutory and Other Consultees

8. The Borough Council’s Conservation and Design Officer comments that the amount of demolition is modest and would not have a notable impact on the Conservation Area or the contribution boundary treatments make to its character. As such, the proposal would preserve the special architectural and historic character of the Conservation Area, as is described as being a 'desirable' objective within section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Local Residents and the General Public

9. No representations received.

PLANNING POLICY

10. The Development Plan for Rushcliffe consists of the 5 saved policies of the Rushcliffe Borough Local Plan (1996), the Rushcliffe Local Plan Part 1: Core Strategy.
11. Other material considerations include the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG) and the Rushcliffe Borough Non-Statutory Replacement Local Plan (2006).
12. Any decision should therefore be taken in accordance with the Rushcliffe Core Strategy, the NPPF and NPPG and policies contained within the Rushcliffe Borough Non-Statutory Replacement Local Plan where they are consistent with or amplify the aims and objectives of the Core Strategy and Framework, together with other material planning considerations.

Relevant National Planning Policies and Guidance

13. The National Planning Policy Framework (NPPF) includes a presumption in favour of sustainable development. Local Planning Authorities should approach decision making in a positive way and decision makers at every level should seek to approve applications for sustainable development where possible. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.
14. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. The environmental role refers to ‘contributing to protecting and enhancing our natural, built and historic environment’.

15. Chapter 12 “Achieving well-designed places”, paragraph 127, states that planning decisions should ensure that developments; will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate landscaping, are sympathetic to local character and history whilst not preventing or discouraging appropriate innovation and change, establish or maintain a strong sense of place to create welcoming and distinctive places, optimise the potential of the site to accommodate an appropriate mix of development including green and other public space, create places that are safe, inclusive and accessible
16. Chapter 16 ‘Conserving and enhancing the historic environment’, paragraph 192 states that, in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to the local character and distinctiveness.
17. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that “*In the exercise, with respect to any buildings or other land in a conservation area, of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*”

Relevant Local Planning Policies and Guidance

18. Policies 10 (Design and enhancing local identity) and 11 (Historic Environment) of the Rushcliffe Local Plan Part 1: Core Strategy require that development should make a positive contribution to the public realm and sense of place, and should have regard to the local context and reinforce local characteristics. Development should be assessed in terms of the criteria listed in Policy 10 and, of particular relevance to this application, are 1a) make a positive contribution to the public realm and sense of place, 1c) reinforce valued local characteristics and 2i) setting of heritage assets.
19. Policy GP2 (Design and Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Plan requires that any developments are sympathetic to the character and appearance of neighbouring buildings and the surrounding area in terms of scale, design, materials, etc., do not have a detrimental impact on the amenity of neighbours by reason of overlooking, loss of light, overbearing impact or the type of activity proposed and a suitable means of access and parking facilities can be provided.
20. Policy EN2 (Conservation Areas) requires that any development in a conservation area or outside of but affecting its setting, including views into or from the conservation area, should enhance its character and appearance.
21. Consideration should also be given to supplementary guidance set out in The Upper Broughton Conservation Area Appraisal and Management Plan.
22. Upper Broughton Neighbourhood Plan Group to the Parish Council has been consulting on their draft neighbourhood plan. The plan includes a policy on local design which, amongst other things, seeks to protect important features such as traditional walls, hedgerows and trees. However, this plan is at a very early stage of preparation and, therefore, very limited weight can be given to this document.

APPRAISAL

23. As stated above, the site benefits from an extant planning permission for the erection of a dwelling, the approved plans for which included the widening of the access, which required the removal of the gates, posts and part of the wall, as now proposed.
24. It is accepted that the proposal would lead to a loss of a short section of the existing boundary wall. Whilst South View is identified as a key unlisted building within the conservation area, the boundary wall is not identified as an important feature in its own right, instead, section 5.4 of the Upper Broughton Conservation Area Appraisal and Management Plan notes that the Conservation Area contains a wide variety of different boundary treatments including walls, railings and hedges and that most of these contribute to the informal rural character of the village. It does not, however, identify individual walls as significant features, as suggested by the Parish Council.
25. It is considered that the proposed removal of a relatively short section of wall would not harm, and would therefore preserve the character and appearance of the Conservation Area, as required by Government guidance and local plan policies, an objective described as desirable in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
26. The comments of the Parish Council in relation to a potential alternative option to widen the driveway to the west of the existing access have been noted but this application must be considered on its own merits and is considered acceptable in its own right, and the hedgerow that would need to be removed is itself considered to make a positive contribution to the street scene. Any widening of the access in that direction would also bring the access closer to an existing junction.
27. There were no pre-application negotiations and, therefore, no advice was offered prior to submission of the application. However, there were no problems during the course of processing the application and, therefore, no reason to contact the applicant. Consequently, a recommendation that planning permission for relevant demolition of an unlisted building in a Conservation Area be granted has been made

RECOMMENDATION

It is **RECOMMENDED** that planning permission for relevant demolition of an unlisted building in a Conservation Area be granted subject to the following condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

[To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004].
2. This planning permission relates solely to the details as shown on the submitted plan GA275/03C and only undertaken as part of the implementation of planning permission ref 18/00819/FUL.

[For the avoidance of doubt and to comply with policy GP2 (Design & Amenity Criteria) of the Rushcliffe Borough Non Statutory Replacement Local Plan].

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Planning Committee

16 August 2018

Planning Appeals

Report of the Executive Manager – Communities

LOCATION	110 Gertrude Road West Bridgford Nottinghamshire NG2 5DB	
APPLICATION REFERENCE	18/00091/FUL	
APPEAL REFERENCE	APP/P3040/D/18/3202111	
PROPOSAL	First floor rear extension, install new first floor window to existing bedroom, convert small bedroom into ensuite and install new window.	
APPEAL DECISION	Appeal Dismissed	DATE 2nd July 2018

PLANNING OFFICERS OBSERVATIONS

The appeal was concerned with the refusal of planning permission under delegated powers on 08 March 2018. The application proposed a first floor extension over the existing single storey extension to the rear of the property. The main issues considered by the Inspector were the effect of the development on, firstly, the character and appearance of the area and, secondly, the living conditions of the occupiers of 106 Gertrude Road with particular regard to privacy, outlook, sun and daylight.

The Inspector noted the character and appearance of the area with the site located in a street of residential dwellings which are of a varied type, style, scale and design, with ground levels which fall to the rear of the sites, away from the road. The Inspector noted that although there was not wide ranging visibility of the rear ranges at the address, the extension would be visible between the gaps between the house and from the north across 106 Gertrude Road which is a bungalow. The Inspector concluded that whilst the extension sought to ensure it was not perceived as an ‘add-on’ by matching the eaves and ridge height of the main roof, it would not be subordinate to the host property. The Inspector went on to state that the extension would increase the scale and massing of the dwelling substantially, which would not be a sympathetic form of development.

In regards to the amenity of the occupants of 106 Gertrude Road the Inspector visited and noted the bedroom window to the side elevation, a room where the Inspector considered the occupants may spend a considerable amount of time. The Inspector noted that by extending to the rear at first floor, an elongated two storey brick wall would be formed to

the south-west of No 106's bedroom window and that the proposed roof would add to this overall scale and massing, which would be considerably greater than the existing rear extension and the garage. The Inspector concluded that the extension would harm the outlook from this window, irrespective of whether there was a car parked on the drive of 110 Gertrude Road, or whether any boundary fence were to be erected.

With regard to overshadowing the Inspector noted that morning sunlight would not be impacted, and in the summer sunlight would still reach the window over the proposed extension. However, the Inspector concluded that at other times of the year the extensions siting, scale and massing would impact the amount of light reaching the window. The Inspector suggested that at times this may be the only period of the day when the bedroom receives a good standard of sun and daylight due to the shorter days and the sun's position in the sky. As such, the extension, despite the roof of No 106, would cause overshadowing and it would be overbearing on the occupants of No 106 in terms of their bedroom window.

In regards to privacy, the council had suggested the bedroom window proposed to the first floor side elevation would cause overlooking, and could not be obscure glazed as part of a reasonable condition as it would be the only outlook to a proposed bedroom and would therefore not offer future occupants adequate amenity. The inspector agreed that the clear glazed first floor window serving a bedroom would cause material overlooking to the bedroom window at 106 Gertrude Road. However, it was also considered that the applicant's had offered the possibility of utilising obscure glazing, stating that such a feature could possibly be put in as a permitted development, and could be subject to an appropriate planning condition. The inspector considered such a condition to be reasonable and would prevent overlooking of the bedroom and garden at 106 Gertrude Road.

Given the above, the inspector concluded the appeal should be dismissed.